23.11.2007: Present: Mr. Baldev Singh, Advocate with for the petitioners

Mr. M.S. Chandel, Advocate General with Mr. M.A. Khan and Ms. Meenakashi Sharma, Advocate counsel for the respondents-State in all the case.

Mr. Neel Kamal Sood, Advocate for respondent No. 2 & 3

In view of the judgment of even date rendered in CWP No. 1358/2001, ***Ram Lal and Others versus State of H.P. & others***, these writ petitions are also accordingly disposed of, but the observations made in CWP No. 1358 of 2001 are reproduced below:

i) **the order passed by the Hon'ble Supreme Court on 12.12.1996 in T.N. Godavaraman's case is in operation and consequently there cannot be any green felling in the entire State of H.P. either in Government owned forest or private as well as removal of fallen trees, diseased trees and dry standing timber;**

ii) **the State has failed to obtain appropriate orders from the Hon'ble Supreme Court on the recommendations of the Expert Committee dated 15th February, 1997 placed by the State Government by way of affidavit dated 21.2.1997 in Godavaraman's case;**

iii) **the State has further failed to obtain orders from the Hon'ble Supreme Court even after the filing of the affidavit on 2nd May, 1997 as admitted by the Principal Secretary (Forest) in his affidavit dated 25.5.1997;**

iv) **the Hon'ble Supreme Court has directed on 14th February, 2000 the State Government not to give effect to any notification for the commencement of silviculture operation;**

v) **the State has not obtained any orders from the Hon'ble Supreme Court on the basis of the affidavit filed it**

pursuant to the orders dated 14.2.2000 as stated by the State;

vi) **the State Government has granted permission for felling of green trees merely on the basis of the recommendations of the Expert Committee dated 15th February, 1997 as admitted by the Secretary (Forest) to the Government of H.P. in his affidavit dated 25.5.1997; and**

vii) **there cannot be any felling or removal of khair trees in the State of H.P. till the necessary clarification is sought by the parties from the Hon'ble Supreme Court with regard to the definition of the word 'forest' grown on private lands.**

There shall be no order as to costs.

November 23, 2007(A) **(Rajiv Sharma), J.**